

ORDINANCE NO. 2012 - 01

***An Ordinance Ratifying the Establishment of Special Service Area Number 7
Within the Village of West Dundee for the
Property Commonly Known as Oakview Corporate Park***

WHEREAS, The Village of West Dundee, Kane County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the Village's home rule powers and function as granted in the Constitution of the Ste of Illinois; and

WHEREAS, the West Dundee Board of Trustees found that is was in the best interest of the Village that Special Service Area Number 7 be formed to provide special municipal services to certain property described in Section 1 herein, including but not limited to:

1. Maintenance, restoration and repair of retention and detention basins, areas and facilities, channels, swales, drainage facilities and easements, stormwater detention facilities, common facilities, outlots, trails and open space areas, as deemed necessary and appropriate by the Corporate Authorities; and
2. Surface water detention and drainage easement maintenance, restoration and repair consisting of mowing, erosion, nuisance and sedimentation control, sediment and obstruction removal, dredging, structural maintenance and replacement, regrading, reseeding, replanting and removal of debris, as deemed necessary and appropriate by the Corporate Authorities; and
3. Wetlands maintenance, planting, remediation and restoration, as deemed necessary and appropriate by the Corporate Authorities; and
4. Open space maintenance consisting of mowing, reseeding, replanting, landscaping, removal of debris, and cleanup, as deemed necessary and appropriate by the Corporate Authorities; and
5. Landscaping consisting of mowing, reseeding, replanting, mulching and cleanup, and replacement of trees and vegetation in the manner depicted on the landscaping plans for the Area on file with the Village, as deemed necessary and appropriate by the Corporate Authorities; and

WHEREAS, it is the intent of this ordinance to provide for the continued maintenance and administration of special municipal services to certain property described in Section 1 herein in the event that the Property Owners' Association fails to properly carry out the activities described in number 1 through 5 above, and if the Village deems it necessary and appropriate to do so to pay for the costs of the special services and in its discretion, without any obligation to do so.

WHEREAS, the area of Special Service Area No. 7 is compact and contiguous and constitutes a separate distinct subdivision of the Village, that the said area will benefit specially from the municipal service to be provided; that the proposed municipal services are in addition to municipal service provided to the Village as a whole; and it is therefore in the best interests of the village that the levy of special taxes against said area for services to be provided be considered; and

WHEREAS, said services will be funded by the levy of an annual tax not to exceed 0.20 percent per annum of assessed value, if deemed necessary by the Village, subject to annual adjustments for the property in the Special Service Area. Said taxes shall be in addition to all other taxes provided by law and shall be levied pursuant to the provisions of the Revenue Act of 1939; and

WHEREAS, a public hearing was held on the 7th day of November, 2011 to consider the creation of Special Service Area No. 7 of the Village of West Dundee within 60 days of the passage of Ordinance 2011-11, proposing the establishment of Special Service Area No. 7, and due notice of said hearing was given as required by 35 ILCS 200/27-30 et seq.; and

WHEREAS, no objectors appeared in person at the public hearing, nor have any written objections from the property owner's affected by the formation of Special Service Area No. 7 been filed with the Village within the 60 day period following the adjournment of the public hearing;

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the VILLAGE OF WEST DUNDEE, Kane County, Illinois, as follows:

SECTION 1: That Special Service Area No. 7 is hereby established and consists of the territory legally described as follows ("Special Service Area No. 7);

OAKVIEW CORPORATE PARK BEING A SUBDIVISION OF THE NORTHWEST FRACTIONAL QUARTER OF THE NORTHWEST FRACTIONAL QUARTER AND THE EAST HALF OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN AS RECORDED AS DOCUMENT NUMBER 2007K0099757 ON JANUARY 23, 2007, IN THE VILLAGE OF WEST DUNDEE, KANE COUNTY, ILLINOIS (the "Area).

Parcel Identification Numbers:03-19-120-001, 011, 012, 014, 015, 016, 017,018, 03-19-130-001,03-19-176-001, 03-19-180-033, 034,035,036,037 all undeveloped parcels along Wesemann Drive, 03-19-120-019 – 1000 Wesemann Drive, 03-19-176-003 -4600 Main Street, 03-19-180-031 – 901-907 Wesemann Drive, 03-19-180-032 – 801 Wesemann Drive.

Special Service Area No. 7 consists of approximately 120.55 acres, more or less, and is situated 2,640 feet West of Randall Road and North of Illinois Route 72 and is known as the Oakview Corporate Park.

SECTION 2: A certified copy of this ordinance shall be filed with the Kane County Clerk and recorded in the office of the Kane County Recorder of Deeds.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form, which is hereby authorized, as provided by law.

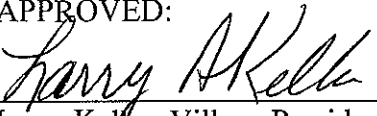
APPROVED and PASSED by the Board of Trustees of the Village of West Dundee, Kane County, Illinois, and approved by the President of said Village this 9th day of January, 2012.

Ayes: Trustees Price, Hanley, Yuscka, Voss and Gillam


Nays: None

Abstentions: None

Absentees: Trustee Osth

APPROVED:

Larry Keffer, Village President

(SEAL)
ATTEST:


Barbara Traver, Village Clerk

Prepared by and after recording mail to:
Jennifer Becker
Village of West Dundee Community Development Department
100 Carrington Drive
West Dundee IL 60118